

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

400I0215

HOUSE BILL NO. 1017

Introduced by: The Committee on Health and Human Services at the request of the
Department of Health

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to ambulance service
2 personnel certification.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 34-11 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The Department of Health may deny the issuance or renewal of a certification or suspend or
7 revoke the certification of any driver or attendant certified pursuant to § 34-11-6 upon
8 satisfactory proof of such person's gross incompetence, or unprofessional or dishonorable
9 conduct. For the purposes of this section, the Department of Health shall define, in rules
10 pursuant to chapter 1-26, the terms, gross incompetence, unprofessional conduct, and
11 dishonorable conduct.

12 Section 2. That chapter 34-11 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 Any party feeling aggrieved by any act, ruling, or decision of the Department of Health acting
15 pursuant to section 1 of this Act may appeal such act, ruling, or decision under the provisions



1 of chapter 1-26.

2 Section 3. That chapter 34-11 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 If a person holding a certification pursuant to § 34-11-6 is adjudged to be mentally
5 incompetent by final order or adjudication of a court of competent jurisdiction, the Department
6 of Health shall suspend such person's certification pursuant to chapter 1-26. The suspension shall
7 continue until the person holding the certification is found or adjudged by such court to be
8 restored to reason. The Department of Health may establish, by rules promulgated pursuant to
9 chapter 1-26, probationary conditions that it deems necessary for the best interest of the person
10 holding the certification.

11 Section 4. That chapter 34-11 be amended by adding thereto a NEW SECTION to read as
12 follows:

13 Upon application, the Department of Health may reissue a certification issued pursuant to
14 § 34-11-6 that has been cancelled, suspended, or revoked. A reissuance of a certification that has
15 been cancelled, suspended, or revoked may not be made prior to one year after the cancellation,
16 suspension, or revocation. The Department of Health may, by rules promulgated pursuant to
17 chapter 1-26, provide for the manner, form, and condition for the reissuance of any certification
18 pursuant to this section.